

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

December 21, 2007

No. 07-50436
Summary Calendar

Charles R. Fulbruge III
Clerk

JERALD LEE HINES,

Petitioner-Appellant,

v.

R.T. LUNA, Warden,

Respondent-Appellee.

Appeal from the United States District Court
for the Western District of Texas
No. 1:07-CV-71

Before REAVLEY, SMITH, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Jerald Hines, federal prisoner # 48922-080, was convicted of being a felon in possession of a firearm. He filed a 28 U.S.C. § 2241 petition challenging the

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

sentence credit he was given for time served in state prison and the validity of his guilty plea and conviction. The district court rejected Hines's sentence-credit argument, and it found that his remaining claims were not cognizable under § 2241 and should have been brought under 28 U.S.C. § 2255.

Hines has abandoned his sentence-credit argument by failing to renew it on appeal. See *Yohey v. Collins*, 985 F.2d 222, 225 (5th Cir. 1993). He has not shown that the district court erred in determining that his claims challenging his guilty plea and conviction were best construed as § 2255 claims. See *Tolliver v. Dobre*, 211 F.3d 876, 877 (5th Cir. 2000); *Cox v. Warden, Fed. Detention Ctr.*, 911 F.2d 1111, 1113 (5th Cir. 1990). Hines likewise has not shown that he should be permitted to proceed under the savings clause of § 2255. See *Reyes-Requena v. United States*, 243 F.3d 893, 904, 906 n.34 (5th Cir. 2001). The judgment is AFFIRMED.